

1 WILLIAM L. MARDER, ESQ. (CBN 170131)
2 Polaris Law Group LLP.
3 501 San Benito Street, Suite 200
4 Hollister, CA 95023
5 Tel: (831) 531-4214
6 Fax: (831) 634-0333
7 Email: bill@polarislawgroup.com
8 Attorney for Plaintiff
9 HECTOR FLORES

10 MARY E. WRIGHT, State Bar No. 142886
11 mary.wright@ogletreedeakins.com
12 GREGORY C. CHENG, State Bar No. 226865
13 gregory.cheng@ogletreedeakins.com
14 JILL V. CARTWRIGHT, State Bar No. 260519
15 jill.cartwright@ogletreedeakins.com
16 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
17 Steuart Tower, Suite 1300
18 One Market Plaza
19 San Francisco, CA 94105
20 Telephone: 415.442.4810
21 Facsimile: 415.442.4870

22 Attorneys for Defendant
23 OCB RESTAURANT COMPANY, LLC

24 **UNITED STATES DISTRICT COURT**

25 **NORTHERN DISTRICT OF CALIFORNIA**

26 **SAN JOSE DIVISION**

27 HECTOR FLORES,

28 Case No. 5:11-CV-02091-HRL

Plaintiff,

**STIPULATION AND [PROPOSED]
ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE**

vs.

29 OCB RESTAURANT COMPANY, LLC., and
30 DOES 1 through 10, inclusive,

Action Filed: March 24, 2011
31 Trial Date: None Set

32 Defendants.

33

34

35

36

37

38

Case No. 5:11-CV-02091-HRL

**STIPULATION AND [PROPOSED] ORDER CONTINUING
INITIAL CASE MANAGEMENT CONFERENCE**

1 **STIPULATION**

2 **IT IS HEREBY STIPULATED AND AGREED** by and between Plaintiff Hector
3 Flores (“Plaintiff”) and his attorney of record Polaris Law Group, LLP, by William L. Marder,
4 and Defendant OCB Restaurant Company, LLC (“Defendant”), by its attorneys of record
5 Ogletree, Deakins, Nash, Smoak & Stewart, P.C., by Gregory C. Cheng, that the following
6 Stipulation may be entered as an Order by the Court to give effect to the stipulations set forth
7 below:

8 1. **WHEREAS**, the current initial case management conference has been scheduled
9 for September 27, 2011;

10 2. **WHEREAS**, counsel for Defendant, Gregory C. Cheng, has a mediation
11 scheduled for September 27, 2011, in the case *Swanson v. GMR Marketing, LLC, et al.*, Contra
12 Costa Superior Court Case No. MSC 11-00261 (“Swanson”);

13 3. **WHEREAS**, the Swanson mediation is scheduled and will take the full day on
14 September, 27, 2011. Because the required deposit has been paid and travel arrangements have
15 been made by all parties in the Swanson mediation, counsel for Defendant is unable to
16 reschedule the mediation;

17 4. **WHEREAS**, the next available date for both parties to attend the initial case
18 management conference is on October 4, 2011, or any date thereafter (except October 18 or 25,
19 2011); and

20 5. **WHEREAS**, good cause exists to continue the initial case management
21 conference to October 4, 2011, or a date thereafter convenient for the Court.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

NOW, THEREFORE, the Parties, through their respective counsel of record **AGREE AND HEREBY STIPULATE** for an Order continuing the initial case management conference from September 27, 2011 to October 4, 2011, or any date thereafter convenient for the Court (except October 18 or 25, 2011).

DATED: August 25, 2011

POLARIS LAW GROUP

DATED: August 25, 2011

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/
MARY E. WRIGHT
GREGORY C. CHENG
JILL V. CARTWRIGHT
Attorneys for Defendant OCB RESTAURANT
COMPANY, LLC

ORDER

GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED that the initial case management conference is continued from September 27, 2011 to

October 4, 2011.

IT IS SO ORDERED.

DATED: 8/26/2011

By:

Honorable Howard R. Lloyd
United States Magistrate Court Judge